



**CITY OF COLLEGE PARK, MARYLAND
REGULAR MEETING AGENDA ITEM**

AGENDA ITEM: 21-O-04

Prepared By: Janeen S. Miller,
City Clerk

Meeting Date: 03/09/2021

Presented By: Janeen S. Miller

Proposed Consent: N/A

Originating Department: City Clerk's Office for the Board of Election Supervisors

Action Requested: Introduction of Ordinance 21-O-04 to amend Chapter 34, Elections, to include electronic posting and messaging in the definition of political matter, to change the dates for filing an application for an absentee ballot and for a late absentee ballot to allow more time for transit through the US mail, to remove the requirement that the notice to candidates and treasurers concerning filing of finance reports and independent expenditure reports be given by ordinary mail, and make certain clarifying, conforming and numbering changes.

Strategic Plan Objective: Objective 1: Innovate and improve City services to enhance quality, value and accessibility for all our residents.

Background/Justification:

The City will hold an election for the office of Mayor and all eight district Councilmembers in November. The Mayor and Council have held two Worksession discussions (February 2 and February 16) with the Board of Election Supervisors and have discussed changes to the election date and other matters related to the November election. Specifically, the Council is interested in holding the election on Sunday, November 7, and in having applications for absentee ballots mailed to all registered voters.

Changes to the City Charter were introduced on February 23 by way of Charter Amendment 21-CR-01. The attached companion ordinance proposes changes to City Code Chapter 34, Elections. These proposed amendments to the City Code are detailed below.

1. **34-3 Definitions:** Add the word "Finance" to correct the title of the Campaign Finance Report. Change the reference from "Councilperson" to "Council Member" throughout the Chapter. Add additional descriptions to the definition of Political Matter.
2. **34-5 Polling places; hours of voting; early voting:** Removal of the word "City" is a non-substantive conforming change.
3. **34-6 C (2) Absentee balloting, Application:** The way it is written now, a voter may request an absentee ballot by mail until seven days before the election. Staff believes that seven days might not provide enough time for the ballot to reach the voter through the US mail. This amendment extends the number of days to 12 days before the election to allow more time for the ballot to reach the voter by mail and improve the chances that the voter can return it in time to be counted. This amendment also removes the reference to the day of the week.
4. **34-6 C (2) (a) - Renumbered to 34-6 C (3): Absentee balloting, Late application:** When the 'application for absentee ballot by mail' period has ended (12 days before the election), a voter may apply for an absentee ballot in person, which is called 'late application'. This amendment will adjust the timeline for late application to begin 11 days before election instead of 6 days before the election.

<p>5. 34-15 A (4) Campaign finance reports; independent expenditure report: Staff is requesting reconsideration of the requirement that written notices of Campaign finance report deadlines be sent “by ordinary mail” to allow staff to send such required notices by email.</p>
<p>Fiscal Impact: None</p>
<p>Council Options:</p> <ol style="list-style-type: none"> 1. Introduce 21-O-04 and set the public hearing for March 23. 2. Amend the ordinance before introduction, and set the public hearing for March 23. 3. Discuss but delay introduction. 4. Decline to amend the City Code at this time.
<p>Staff Recommendation: #1</p>
<p>Recommended Motion: <i>I move to introduce Ordinance 21-O-04 to amend Chapter 34, Elections, to include electronic posting and messaging in the definition of political matter, change the dates for filing of an application for an absentee ballot and a late filing for an absentee ballot, remove the requirement that the notice to candidates and treasurers concerning filing of finance reports and independent expenditure reports be given by ordinary mail, and make certain clarifying, conforming and numbering changes, and to set the Public Hearing date for March 23, 2021.</i></p>
<p>Attachments:</p> <ol style="list-style-type: none"> 1. Draft Ordinance 21-O-04